

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

AHMAD KHAWAJA,

Defendant.

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) **Case No. 18-CR-127-1-LM**
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**SUPPLEMENT TO GOVERNMENT’S OBJECTION TO
DEFENDANT’S MOTION TO REDUCE TERM OF
IMPRISONMENT PURSUANT TO 18 U.S.C. § 3582(c)(1)(A)**

The United States of America, by Scott W. Murray, United States Attorney, and Assistant U.S. Attorney John S. Davis, hereby supplements its objection to defendant Ahmad Khawaja’s (“Khawaja”) renewed motion to reduce his term of imprisonment pursuant to 18 U.S.C. § 3582(c)(1)(A). ECF No. 48. Specifically, Dr. Gavin Muir, a New Hampshire physician who has served as the government’s medical expert for numerous compassionate release motions filed during the Covid-19 pandemic, reviewed the Elliot Hospital medical records Khawaja provided on July 16, 2020, as well as the government’s filed objection, and provided the following opinion:

Ahmad Khawaja is a young man who is diagnosed with [redacted], tobacco abuse, substance use (marijuana more recently and before that methamphetamines), GERD and that’s it. He was seen twice by his PCP’s office for issues related to chronic cough and was prescribed an Albuterol inhaler for chronic cough and “probable asthma”. The second time they saw him for this issue in November of 2018 they appropriately ordered up pulmonary function testing (PFT’s) and these tests were read[] by an Elliot Hospital pulmonologist as normal. That specialist did mention in his summary that “asthma cannot be ruled out; clinical correlation is necessary” but that is what they always write. Clinically the story that is in the medical records possibly supports a diagnosis of mild intermittent asthma though that has not been

documented by his physician. Even if that were the case, the CDC's guidelines indicate that patients with moderate or severe persistent asthma are the ones who are at higher risk for developing severe illness if they were to contract Covid-19 so he is not in that higher risk group. I agree 100% with the attached motion that the inmate has not produced any medical information that would support his claim. The attached medical records only better support your motion.

Dated: July 19, 2020

Respectfully submitted,

SCOTT W. MURRAY
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